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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION No. 6260 OF** 2006

A. Hamid Abdulla Navadekar ... Petitioner

Vs.

State of Maharashtra & Ors. .... Respondents

Mr. U.P. Warunjkar, Advocate for the petitioner.

Mrs. S.S. Bhende, AGP for respondent No.1 & 2.

**CORAM: F.I. REBELLO,**
AND
**R. V. MORE, JJ.**

**DATE : FEBRUARY 2, 2007.**

P.C.:

. The declaration under Section 6 was issued on 24-10-1972. The award was passed on 23-3-1986. Once the declaration is issued, the public purpose becomes final. The petitioner for the first time made representation in 1996 and has filed the petition in 2006. Once the declaration was made, the public purpose cannot be disputed and once the award was passed in the year 1986, it will not be open to this Court, at this belated stage, to interfere, in the exercise of its extra ordinary jurisdiction, in the light of the judgment of the Supreme Court in **Municipal Council Ahmednagar & Anr. Vs. Shah Hyder Beig and Ors. [AIR 2000 SC 671]**. With the above observations, the petition is disposed off.

Sd/- Sd/-

[ **R. V. MORE, J.]** **[ F.I. REBELLO,J.]**